THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.18742 of 2007

Between:

Pisini Appa Rao. … Petitioner

and

The District Collector, Vizianagaram and others. … Respondents

ORDER:

It is the case of the petitioner that his father and other ancestors of the family purchased the land to an extent of Acs.15-76 cents in Sy.No.156 of Sarika Village, Vizianagaram Mandal and District. Since the date of purchase, the petitioner and his ancestors are in continuous possession and enjoyment of the said land, but the mutation has not been effected. It is stated that the petitioner filed an application before the 1st respondent on 23-08-2005 for issuance of pattadar pass books and title deeds in respect of the said land and the same was numbered as S.R.No.57 of 2005. The said application has been forwarded to the 3rd respondent for taking necessary action. Thereafter, the Mandal Revenue Inspector and Mandal Surveyor have conducted survey on 01-02-2006 itself, but no final order has been passed. Therefore, the petitioner got issued a legal notice on 06-07-2007 to the respondent authorities for issuance of pattadar passbooks and title deeds in respect of the land in question, but no reply has been given to the said notice and no pattadar pass books and title deeds have been issued as required under Section 5 of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short "the Act").

On the other hand, learned Government Pleader appearing for the respondents, submits that the title holder of the agricultural land has to file an application in Form 6-A of the Act as prescribed under Rule 18 and under Section 4(1) of the Act. But, however, the petitioner has not filed such an application in the prescribed form.

I am of the opinion that if the required information as required under Section 6-A of the Act is furnished even by way of an application enclosing necessary title deeds in support of acquiring ownership, there cannot be any objection for the 3rd respondent to consider and dispose of the same. If there are any objections, it is open for the 3rd respondent to intimate the same to the petitioner for fulfillment of the said objections. Admittedly, the application filed by the petitioner before the 1st respondent has been referred to the 3rd respondent and infact the 3rd respondent also got the matter enquired into. But, so far, no final order has been passed.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation, which is pending before the 3rd respondent, in accordance with law, without any undue delay, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

_____

05-09-2007

Prv